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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725-LBR

**Notice to Pecos Professional Park
Limited Partnership of Motion For
Summary Judgment Regarding
Claim No. 10725-00751-2**

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

NOTICE IS HEREBY GIVEN to Pecos Professional Park Limited Partnership (“Pecos”) that on October 29, 2007, the USACM Liquidating Trust (“USACM”) filed a Motion for Summary Judgment related to Claim No. 10725-00751-2 (the “Motion”) [DE 5122]. USACM served Pecos with a copy of the Motion.

Pecos asserts an unsecured claim arising out of the alleged breach of an unexpired lease by USACM. Under the confirmed Third Amended Joint Chapter 11 Plan of Reorganization ("Plan"), the Pecos Claim is subject to treatment in Class A-7 as a Subordinated Claim because Pecos is a "Non-Debtor Insider" as defined by the Plan. The Motion requests the Court grant the motion for summary judgment, and reclassify your claim(s) as a Class A-7 Subordinated Claim under the Plan.

NOTICE IS FURTHER GIVEN that any opposition to the Objection/Motion must be filed pursuant to Local Rule 9014(d)(1). **PLEASE DO NOT CONTACT THE CLERK OF THE COURT OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** If you do not want the Court to grant the relief sought in the Motion, or if you want to explain why you believe your claim(s) are priority claim(s) or otherwise want the Court to consider your views on the Motion, then you must file an opposition to the Motion with the Court, and serve a copy on the USACM Liquidating Trust **NO LATER THAN NOVEMBER 27, 2007.** The opposition must state your position, set forth all relevant facts and legal authority, provide relevant documents that support your claim to priority status, and be supported by affidavits or declarations that conform to Local Rule 9014(c).

If you object to the relief requested in the Objection/Motion, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response to the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that the hearing on the Motion will be held before a United States Bankruptcy Judge, Courtroom No. 1, Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada 89101 on **December 14, 2007** at the hour

1 of **9:30 a.m.** The hearing may be continued from time to time with notice to the parties
2 appearing.

3 Dated: November 6, 2007.

4 LEWIS AND ROCA LLP

6 By /s/ RC (#6593)

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12 Copy of the foregoing e-mailed/mailed on
13 November 6, 2007 to:

14 Pecos Professional Park Limited Partnership
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25 By: /s/ Christine Laurel
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